

REMARKS

The Office Action dated July 23, 2003 has been received and carefully considered. In response, applicant appreciates the courtesy afforded its attorney in a telephone conversation with the examiner. In that telephone conversation, the examiner indicated that claims 11-18 and 20 would be allowable if the rejection under 35 U.S.C. § 112, second paragraph, were addressed and if the claims depended from independent claim 10 were written in independent form. Applicant has amended claims 11-18 to address the 112 rejection and to put these claims in independent form. Applicant has also addressed the 112 rejection of claim 20. Applicant also acknowledges with appreciation the allowance of claim 19. Accordingly, claims 11-20 are deemed to be in allowable form. With respect to claim 10, applicant respectfully submits that this claim also patentably distinguishes from the cited references and is allowable. Accordingly, reconsideration of all the claims and allowance are respectfully requested.

Claims 10-18 and 20 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite and failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The examiner has helpfully pointed out certain formalities which have been addressed by this amendment. In this respect, applicant has amended claim 10 clarified that the vertical load cylinder and the horizontal load cylinder are adjusted by controlling both the vertical and the horizontal forces respectively. Claim 20 has been amended to address the antecedent problem. Applicant respectfully submits that the claims, as amended, clearly identify an embodiment of the invention.

Claim 10 was rejected under 35 U.S.C. § 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as being obvious in view of Fischer. Fischer fails to anticipate or make obvious the method of claim 10. In this respect, Fischer fails to disclose or make obvious a wheel testing device in a way that stresses the vehicle wheel in the wheeled stand in a way that is identical to the stresses on the wheel during a wheel test. In this respect, Fischer fails to disclose a device that can adjust the vertical force, the horizontal force, and the camber angle. Referring to Fischer, his device does not include any means to adjust the camber angle which is recited in independent claim 10. In this respect, reference numbers 16 and 27 in Fischer do not refer to adjusting cylinders. Reference number 27 shows a damping device while reference number 16 shows a limiting device for merely limiting the maximum camber angle. The limiting device shown by reference number 16 cannot be controlled during the test with the real wheel testing device shown in Fischer. Reviewing the specification of Fischer, it is clearly shown that his testing device only comprises a limiting device for the camber angle. Fischer fails to disclose or make obvious an adjusting device to actively adjust the camber angle which is important to obtain a wheel test for the vehicle wheel. The camber angle does not automatically arise according with the magnitude of the horizontal and vertical forces. Conversely, as is recited in claim 10, it is the position of a point of application of the resulting force of the wheel radial force and wheel side force which produces a test stand that simulates the wheel forces produced during real road driving. The position of the point of application of the resulting force may only be controlled and influenced if the camber angle can be adjusted during the test. Fischer fails to disclose a device that can accomplish this. It has been found that the stresses in the wheel test stand and the stresses during the real road test are identical when

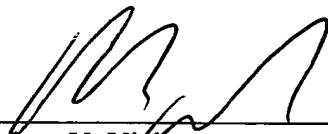
the force resulting in the wheel test stand is controlled with regard to the amount, direction and position. Again, this is not possible with Fischer's device. Accordingly, applicant respectfully submits that claim 10 patentably distinguishes from Fischer and is allowable.

Again, applicant acknowledges with appreciation the allowance of claim 19 and that the examiner has indicated that claims 11-18 and 20 would be in allowable form if the rejections under Section 112 were address and if the claims dependent from independent claim 10 were amended to independent form. Applicant, as discussed with the examiner, has amended the claims to address the Section 112 rejections and has put claims 11-18 in independent form. With respect to claim 10 which was rejected in view of Fischer, applicant respectfully submits that Fischer fails to disclose a wheel testing device that can adjust the camber angle during the test to best simulate the forces on a wheel during real road driving. Accordingly, claim 10 patentably distinguishes from the prior art and is believed to be allowable. Reconsideration and allowance are respectfully requested.

Respectfully submitted,

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